

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

Chapter 11

97 2nd LLC,

Case no. 17-74756

Debtor.
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97 2nd LLC for itself and as a third party
beneficiary,

Plaintiff,

against

Adv. Pro. No. 17-08247

DS 97 2nd Ave Note Purchaser LLC, DS 97
2nd Ave Property Owner LLC, Michael Shah,
and ACM CRE FUND I, LP,

Defendants.
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DISMISSAL ORDER

Upon the September 12, 2017 motion to dismiss (the “Motion,” docket no. 11) the 97 2nd LLC (the “Debtor”) Chapter 11 case, and upon the objection (docket no. 16), reply (docket no. 19), and response (docket no. 21), and upon the hearing held before this Court on November 6, 2017 during which the Court ordered the Debtor’s Chapter 11 case dismissed, and upon the record in this case, and after due deliberation and sufficient cause appearing therefor, it is

ORDERED, that the above-captioned adversary proceeding be, and it hereby is, dismissed without prejudice.

**Dated: Central Islip, New York
January 3, 2018**



A handwritten signature in black ink, appearing to read "Robert E. Grossman".

**Robert E. Grossman
United States Bankruptcy Judge**